

REMARKS

Applicants request favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Claims 1-3, 5, 6, 8, and 9 are now pending in this application, with Claims 1 and 5 being independent. Claims 1-3, 5, and 8 have been amended herein. Claim 7 has been cancelled without prejudice or disclaimer.

In the final Office Action dated May 23, 2007, Claims 1-3 and 5-9 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,736,995 (Bohorquez et al.). This rejection is respectfully traversed.

In Bohorquez et al., heating pulses can be synchronized with printing pulses depending on whether the measured temperature of the printhead substrate is below a reference temperature. In other words, when the temperature of the head is low, heating, which does not cause ejection, is performed in a nozzle that is not used for recording. However, Bohorquez et al. does not control heads as defined by Applicants' claims. That is, each of independent Claims 1 and 5 recites that each head ejects a different color ink and each has a plurality of heating means to eject the same color ink. Moreover, Claim 1 recites that the recording mode setting circuit sets a head that is to be used for recording and a head that is not to be used for recording, whereas Claim 5 recites that the discrimination means discriminates between a head that is to be used in a next recording operation and a head that is not to be used all the way through the next recording operation.

Bohorquez et al. does not set a head of one color that is to be used for recording and head of another color that is not to be used for recording, or discriminate between a head of one color that is to be used in a next recording operation and head of another color that is not to be used, and control heating or not heating of the heads of different colors based on such setting or discrimination.

Accordingly, Bohorquez et al. fails to disclose or suggest at least i) controlling, when the obtained temperature of the printing head unit is lower than a first temperature, heating, not causing ejection, of all the heads, ii) controlling, when the obtained temperature of the printing head unit is higher than the first temperature and lower than a second temperature, heating, not causing ejection, of the heads to be not used for recording and stopping of heating of the heads to be used for recording, and iii) controlling, when the obtained temperature of the printing head unit is higher than the second temperature, stopping of heating of all of the heads, as is recited in independent Claims 1 and 5.

Bohorquez et al. fails to disclose or suggest important features of the present invention recited in the independent claims.

Thus, the independent claims are patentable over the citation of record. Reconsideration and withdrawal of the § 102 rejection are respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present invention is patentably defined by independent Claims 1 and 5. Dependent Claims 2, 3, 6,

8, and 9 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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